

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

C/M

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	:
DELANO HUBERT,	:
Petitioner,	:
	:
- against -	:
	:
MARK MILLER, SUPERINTENDENT, GREEN	:
HAVEN CORRECTIONAL FACILITY,	:
	:
Respondent.	:
	:
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SCHEDULING ORDER

22-cv-4565 (BMC)

Upon the petition for issuance of a writ of habeas corpus, dated July 22, 2022, it is hereby ORDERED as follows:

1. Petitioner is granted leave to proceed in forma pauperis.
2. Within 30 days, respondent is required to electronically file a complete copy of the State Court Record. The respondent is also directed to supply, at the same time or as soon as is reasonably possible thereafter, a hard copy to Chambers which must be clearly marked "Courtesy Copy" with the docket number of this case.
3. This State Court Record shall include all briefs, affidavits, exhibits, decisions, and transcripts of proceedings in the state court, including all collateral proceedings (e.g., § 440 motions, state habeas corpus, or *coram nobis* motions).
4. The form of the ECF filing must comply with this Court's Individual Practice Rule II(E). **Respondent need not file opposition to the petition unless the Court orders it in a subsequent order.** The Court will not grant the petition without affording respondent time to oppose.
5. All communications with the Court, including service of the State Court record as described herein, must be served on the opposing party;
6. Electronic service of a copy of this Scheduling Order shall be made by the Clerk of the Court together with a copy of the petition, to the Attorney General of the State of

New York and the District Attorney of Richmond County and by mailing a copy of this Scheduling Order to Petitioner.

SO ORDERED.

Digitally signed by Brian M. Cogan

U.S.D.J.

Dated: Brooklyn, New York
August 3, 2022__